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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached letter dated 14 January 1998, which he has received from the Director General of the International Atomic Energy Agency.

Annex

Letter dated 14 January 1998 from the Director General of
the International Atomic Energy Agency addressed to the
Secretary-General

Further to my letter dated 3 December 1997, I attach a report on the International Atomic Energy Agency technical team visit to Iraq, which took place from 19 to 21 December 1997.

I should be grateful if you would bring the report to the attention of the Security Council.

(Signed) Mohamed ELBARADEI

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Appendix

Report on the International Atomic Energy Agency technical
team visit to Iraq, 19 to 21 December 1997

A. Introduction

1. Further to the letter dated 3 December 1997 from the Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General (S/1997/950), an IAEA team, composed of six technical specialists, headed by the leader of the Action Team, visited Iraq from 19 to 21 December 1997. Five discussion sessions were held during the visit. In the first four sessions the Iraqi counterpart was led by Dr. Jaffar Dhia Jaffar, a Presidential adviser and former head of Iraq's clandestine nuclear programme (PC-3). At the concluding session the Iraqi counterpart was joined by Deputy Prime Minister Tariq Aziz and by the Minister of Culture and Information, the Under-Secretary, Ministry of Foreign Affairs, the Chairman of Iraq's Atomic Energy Commission (IAEC) and other senior Iraqi officials.

2. The main purpose of the visit was to clarify the five matters identified in paragraph 75 of document S/1997/779, with a view to providing further assurance that the technically coherent picture of Iraq's clandestine nuclear programme is comprehensive and that the ongoing monitoring and verification activities of IAEA are tailored appropriately. The results of the discussions with the Iraqi counterpart on those matters are summarized in section B of the present report.

3. The team took the opportunity to clarify further the nuclear weapon design options that were being pursued by Iraq until the middle of January 1991. Discussions were also held regarding a document that had been provided by the Iraqi counterpart describing the Iraqi nuclear team, whose role was to interact with IAEA inspection teams. The results of those discussions are summarized in section C.

4. The team also raised with the Iraqi counterpart several ongoing monitoring and verification matters, as well as the use of fixed-wing aircraft within Iraq. The related discussions are summarized in section D.

B. The five matters identified in paragraph 75 of
document S/1997/779

1. Iraq's post-war procurement procedures

5. This matter had been discussed on a number of occasions during 1997 in order to gain an understanding of the procedures used by Iraq for the procurement of equipment and materials. Such an understanding would contribute to the ability of IAEA to identify actions that might indicate Iraq's clandestine procurement of proscribed or dual-use equipment and materials. The Iraqi counterpart had provided, by letter of 13 October 1997, documentation describing the dissolution on 21 August 1995 of 9 of the 11 Iraqi companies involved in post-war procurement activities for the Military Industrialization Corporation (MIC). The same letter had also enclosed documentation regarding

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the MIC procurement procedures that govern the activities of the two remaining companies. By letter of 17 December 1997, the Iraqi counterpart responded to questions that had been posed by IAEA regarding particular transactions.

2. Summary of technical achievements of Iraq's clandestine nuclear programme

6. The utility to IAEA of a summary of technical achievements of Iraq's clandestine nuclear programme was reviewed with the Iraqi counterpart in the context of optimization of the ongoing monitoring and verification activities of IAEA. In the course of the discussion, it was agreed that IAEA would provide a specification of the required scope and content of the proposed summary, on the basis of which the Iraqi counterpart undertook to prepare a working draft. IAEA provided the specification during the third discussion session.

7. It was further agreed that representatives of IAEA and the Iraqi counterpart would meet to review the draft and produce a final document.

3. Offers of external assistance to Iraq's clandestine nuclear programme

8. The matter of solicited or unsolicited offers of external assistance to Iraq's clandestine nuclear programme and the related role of Iraq's General Intelligence Service (Mukhabarat) had been raised by IAEA during its technical team visits in May and July 1997. During those visits, IAEA had encouraged the Iraqi counterpart to recount all such offers. The instances recounted by the Iraqi counterpart were few and did not include a case which, in the judgement of IAEA, should have been mentioned. In order to proceed further, IAEA, in October 1997, gave the counterpart correspondence of Iraqi origin related to the case in question.

9. The December discussions focused on that specific case which had involved an unsolicited offer of assistance, in October 1990, made by a foreign national. The foreign national had claimed to be able to supply nuclear weapon design drawings, to facilitate the procurement of the equipment required and to provide technological assistance. The Iraqi counterpart explained that the offer had been made, in person, by the foreign national (whose identity was supplied to IAEA by the Iraqi counterpart) in Baghdad to the Director General of the Technical Consultation Corporation (TCC) - a procurement agency of the Mukhabarat.

10. All of the Iraqi principals involved, both TCC and former PC-3 personnel, were interviewed by the IAEA technical team. No indications were obtained to contradict the statement by the counterpart that Iraq had taken no action to pursue this offer. The Iraqi counterpart maintained that it had not followed up on any offers of assistance to the clandestine nuclear programme. Furthermore, the Iraqi counterpart restated its opinion that the risk of exposure through a "sting operation" far outweighed any benefit that might result from such offers. Nonetheless, the Iraqi counterpart's earlier claimed inability to recall this particular offer or, indeed, to recall its interaction with the Mukhabarat, and

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its willingness to respond only to specific cases supported by documentation, appear to be inconsistent with a policy of transparency.

4. Actions attributed to the late Lieutenant-General Hussein Kamel

11. During the discussion of this matter, IAEA explained that there was no verifiable evidence available to distinguish between the actions attributed by Iraq to the late Lt.-Gen. Hussein Kamel, a senior Iraqi Government official, and those of the Government itself. In that context, Iraq's statements that its clandestine nuclear programme had effectively ceased in January 1991 and had been abandoned in April 1991 are inconsistent with actions taken to conceal and retain programme-related documentation, materials and equipment, until at least August 1995.

12. Deputy Prime Minister Tariq Aziz restated Iraq's position that the late Lt.-Gen. Hussein Kamel had acted independently, without government knowledge or authority and contrary to government policy. He reaffirmed that the Iraqi Government had no knowledge of the motivation behind the actions but accepted that the motivation could have been linked to Hussein Kamel's ambition to reconstitute a nuclear weapons programme.

5. The governmental committee

13. The existence of a so-called governmental committee was declared by the Iraqi counterpart in a presentation it had made in May 1997. The presentation was one of a series that had been requested by IAEA in an attempt to acquire information supporting Iraq's declaration that its clandestine nuclear programme had effectively terminated in January 1991 and had been abandoned at the time of Iraq's acceptance of Security Council resolution 687 (1991) in April 1991. IAEA had immediately asked for clarification of the function and duration of authority of the so-called governmental committee since the function and duration of authority of such a committee would doubtless have a bearing on Iraq's declared abandonment of its clandestine nuclear programme. The Iraqi counterpart had initially declined to respond and later stated that no such committee had existed and that the reference to such a committee in the presentation had been incorrect.

14. In the discussion, IAEA explained that since the existence of the governmental committee had been originally volunteered by the Iraqi counterpart, the manner in which its existence was subsequently retracted was a matter of concern.

15. Responding to this concern, Deputy Prime Minister Tariq Aziz reiterated Iraq's position that no such committee had existed. He explained that when the responsibility for dealing with the United Nations on matters related to resolution 687 (1991) had been assigned to him, he had sought, as necessary, the advice of his government colleagues and of appropriate technical personnel. In the case of the nuclear programme, the technical advisers would have included, as appropriate, the deputy ministers of the Military Industrialization Corporation, the Chairman of IAEC, the head of PC-3 and their senior technical staff.

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C. Additional matters related to Iraq's clandestine nuclear programme

1. The Iraqi nuclear team

16. Earlier in 1997, the Iraqi counterpart had given IAEA a document, dated 16 August 1991, which formalized the composition and terms of reference of the Iraqi nuclear team. This team had been brought together, around May 1991, to interact, as a declared entity, with IAEA inspection teams. The Iraqi counterpart was requested to provide IAEA with access to the reports prepared by the Iraqi nuclear team under its documented terms of reference. The Iraqi counterpart undertook to locate the reports and to make them available to IAEA.

2. Nuclear weapon design options in January 1991

17. As mentioned in paragraph 29 of document S/1997/779, the Iraqi counterpart had given IAEA documents indicating the status of Iraq's ability to produce explosive lenses at the beginning of 1991, the most significant of which were the minutes of a meeting of 12 January 1991. In discussing the documents, IAEA observed that the minutes in question indicated that a significant decision had been taken regarding the dimensions of the explosive lens of choice. IAEA suggested that this decision strongly indicated that similar decisions had been taken regarding the design of the weapon internals.

18. The Iraqi counterpart agreed that the size of the explosive lenses had been fixed at the meeting of 12 January 1991. It asserted, however, that the decision had been reached empirically and had been most strongly influenced by the restriction on the external diameter of the nuclear weapon imposed by the most appropriate missile delivery vehicle available at that time. The Iraqi counterpart insisted that no decision had been made with respect to the design of the weapon internals and, as supported by other information it had earlier provided to IAEA, that no practical experiments had been made to support any particular design concept.

19. The Iraqi counterpart continues to maintain that, despite the increased urgency imposed by the so-called "crash programme", it had not yet identified design options beyond those preliminary concepts described in the last version of the PC-3 Group Four report entitled "Basic design report of the implosion device", dated 14 July 1990. It further maintains that no experimental programme had been established through which to validate possible options identified by computation.

3. The "full, final and complete declaration"

20. The Iraqi counterpart agreed to produce a consolidated edition of its "full, final and complete declaration" (FFCD) incorporating the agreed revisions and additions to the text of the September 1996 version (FFCD-F), as discussed with IAEA in February, May and July 1997.

D. Other matters

1. Use of fixed-wing aircraft within Iraq

21. IAEA explained that the need to use fixed-wing aircraft within Iraq was twofold. First, there was a purely logistical need in order to transport personnel and road vehicles to locations remote from Baghdad to provide independent ground transportation for monitoring teams and thus optimize their freedom of surface movement. Secondly, there was a need to use fixed-wing aircraft in conjunction with ongoing monitoring and verification technical activities, in particular to improve the efficiency of aerial radiation surveys. IAEA explained that although the use of relatively slow-moving helicopter platforms provided the best sensitivity, the use of higher-speed fixed-wing aircraft would greatly increase the coverage.

22. It was agreed that IAEA would specify a campaign of aerial radiation survey using a fixed-wing platform and that the Iraqi counterpart would seek the necessary clearances from the appropriate government authorities.

23. Subsequently, Deputy Prime Minister Tariq Aziz stated that there would be no objection to IAEA's use of fixed-wing aircraft for technical monitoring activities, such as radiation surveys. He nevertheless asked IAEA to consider using Iraqi aircraft where feasible. IAEA stated that it would expect to use non-Iraqi aircraft in the first instance but was prepared to consider the feasibility of using Iraqi aircraft for later campaigns. IAEA also stated that it would pursue, in conjunction with the Special Commission, the use of fixed-wing aircraft for logistical purposes.

2. Ongoing monitoring and verification

24. A number of ongoing monitoring and verification matters were discussed with the Iraqi counterpart. These matters included helicopter safety (in particular the behaviour of Iraqi "helicopter-minders"), the access authority of National Monitoring Directorate personnel, the legislation required under the ongoing monitoring and verification plan and the correctness of the nuclear material accountancy data included in declarations submitted by Iraq in accordance with the plan. No points of contention arose during these discussions and matters arising will be followed up in the course of the ongoing monitoring and verification activities of IAEA.

E. Summary

25. The information provided by Iraq in respect of its post-war procurement procedures will contribute to the ability of IAEA to identify actions that might indicate Iraq's clandestine procurement of proscribed or dual-use equipment and materials. Future information requirements in this regard will be pursued in the course of ongoing monitoring and verification activities.

26. The specification of the scope and content for the summary of the technical achievements of Iraq's clandestine nuclear programme that IAEA provided to the Iraqi counterpart should facilitate the production by Iraq of a document that

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will provide further assurance that the technically coherent picture of Iraq's clandestine nuclear programme is comprehensive. It will also assist IAEA in optimizing its ongoing monitoring and verification activities.

27. The specific instance of external assistance offered to Iraq's clandestine nuclear programme, reported in section B.3 above, has been extensively discussed with the Iraqi counterpart. It has not been possible to confirm independently the veracity of Iraq's statement that it took no action to follow up on that offer or, indeed, on any similar offer. At this point in time, IAEA holds no information on which to base further investigation of this matter with the Iraqi counterpart. Iraq's direct acquisition of weapon-usable nuclear material or nuclear weapon-related technology will, however, continue to be a matter of major concern to IAEA, and high priority will continue to be given to the investigation of any indication of such acquisition.

28. Although the related matters of the existence of the so-called governmental committee and the motives behind the actions attributed to the late Lt.-Gen. Hussein Kamel have been investigated by IAEA to the extent feasible, it has not been possible to confirm independently the veracity of Iraq's statements in those respects. There is, at this point in time, no information available to IAEA on which to base further investigation.

29. Although it is difficult to understand the apparent lack of focus at such a critical stage in Iraq's weaponization development, IAEA has no information that contradicts Iraq's statement that it had never identified nuclear weapon design options beyond those preliminary concepts described in its report entitled "Basic design report of the implosion device" dated 14 July 1990. Nonetheless, the IAEA ongoing monitoring and verification plan is predicated on the assumption that Iraq retains the technical capability to exploit, for nuclear weapons purposes, any relevant material to which it might gain access.

30. Iraq's cooperation with respect to the use of fixed-wing aircraft in conjunction with technical activities will contribute to the efficiency and effectiveness of the IAEA ongoing monitoring and verification plan. In this regard, IAEA intends to implement, in the near future, an aerial radiation survey campaign in Iraq, using a fixed-wing platform. For future campaigns, IAEA will examine the feasibility of using Iraqi aircraft. IAEA will pursue, through the Special Commission, its requirements to use fixed-wing aircraft within Iraq for logistical purposes.

31. As recorded in document S/1997/779, IAEA is currently focusing most of its resources on the implementation and strengthening of its ongoing monitoring and verification plan. However, IAEA will continue to exercise its right to investigate any aspect of Iraq's clandestine nuclear programme, in particular through the follow-up of any new information that comes to its knowledge and is assessed by it to warrant further investigation, and to destroy, remove or render harmless any proscribed items that may be discovered through such investigations.
